

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND  
 RELATED AGENCIES APPROPRIATION BILL, 2007

MAY 15, 2006.—Committed to the Committee of the Whole House on the State of  
 the Union and ordered to be printed

Mr. TAYLOR of North Carolina, from the Committee on  
 Appropriations, submitted the following

R E P O R T

together with

ADDITIONAL VIEWS

[To accompany H.R. 5386]

The Committee on Appropriations submits the following report in explanation of the accompanying bill making appropriations for the Department of the Interior, Environmental Protection Agency, and Related Agencies for the fiscal year ending September 30, 2007. The bill provides regular annual appropriations for the Department of the Interior (except the Bureau of Reclamation), the Environmental Protection Agency, and for other related agencies, including the Forest Service, the Indian Health Service, the Smithsonian Institution, and the National Foundation on the Arts and the Humanities.

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**COMPARISON WITH BUDGET RESOLUTION**

Section 308(a)(1)(A) of the Congressional Budget and Impoundment Control Act of 1974 (Public Law 93-344), as amended, requires that the report accompanying a bill providing new budget authority contain a Statement detailing how the authority compares with the reports submitted under section 302 of the Act for the most recently agreed to concurrent resolution on the budget for the fiscal year. This information follows:

[In millions of dollars]

	Sec. 302(b)		This bill—	
	Discretionary	Mandatory	Discretionary	Mandatory
Budget authority .....	25,889	54	25,889	58
Outlays .....	26,906	54	26,906	58

## SUMMARY OF THE BILL

The Committee has conducted hearings on the programs and projects provided for in the Interior, Environment, and Related Agencies Appropriations bill for 2007. The hearings are contained in 8 published volumes totaling over 10,000 pages.

During the course of the hearings, testimony was taken at 12 hearings on 10 days, not only from agencies which come under the jurisdiction of the Interior Subcommittee, but also from private citizens, and, in written form, from Members of Congress, State and local government officials, and private citizens.

The bill that is recommended for fiscal year 2007 has been developed after careful consideration of all the facts and details available to the Committee.

## BUDGET AUTHORITY RECOMMENDED IN BILL BY TITLE

Activity	Budget estimates, fiscal year 2007	Committee bill, fiscal year 2007	Committee bill com- pared with budget estimates
Title I, Department of the Interior: New Budget (obligational) authority .....	\$9,612,568,000	\$9,664,186,000	+\$51,618,000
Title II, Environmental Protection Agency: New Budget (obligational) authority .....	7,315,475,000	7,572,870,000	+257,395,000
Title III, related agencies: New Budget (obligational) authority .....	8,604,072,000	8,707,069,000	+102,997,000
Grand total, New Budget (obligational) authority .....	25,532,115,000	25,944,125,000	+412,010,000

TOTAL APPROPRIATIONS FOR THE DEPARTMENT OF THE INTERIOR,  
ENVIRONMENTAL PROTECTION AGENCY, AND RELATED AGENCIES

In addition to the amounts in the accompanying bill, which are reflected in the table above, permanent legislation authorizes the continuation of certain government activities without consideration by the Congress during the annual appropriations process.

Details of these activities are listed in tables at the end of this report. In fiscal year 2006, these activities are estimated to total \$3,568,891,000. The estimate for fiscal year 2007 is \$3,658,910,000.

The following table reflects the total budget (obligational) authority contained both in this bill and in permanent appropriations for fiscal years 2006 and 2007.

DEPARTMENT OF THE INTERIOR, ENVIRONMENTAL PROTECTION AGENCY, AND RELATED AGENCIES  
TOTAL BUDGET AUTHORITY FOR FISCAL YEARS 2006–2007

Item	Fiscal year 2006	Fiscal year 2007	Change
Interior, environment, and related agencies appropriations bill .....	\$26,085,934,000	\$25,944,125,000	–\$141,809,000
Permanent appropriations, Federal funds .....	3,045,310,000	3,169,787,000	+124,477,000
Permanent appropriations, trust funds .....	578,600,000	641,809,000	+63,209,000
Total budget authority .....	29,711,612,000	29,755,721,000	+44,109,000

## REVENUE GENERATED BY AGENCIES IN BILL

The following tabulation indicates total new obligational authority to date for fiscal years 2005 and 2006, and the amount recommended in the bill for fiscal year 2007. It compares receipts gen-

erated by activities in this bill on an actual basis for fiscal year 2005 and on an estimated basis for fiscal years 2006 and 2007. The programs in this bill are estimated to generate \$17 billion in revenues for the Federal Government in fiscal year 2007. Therefore, the expenditures in this bill will contribute to economic stability rather than inflation.

Item	Fiscal year—		
	2005	2006	2007
New obligational authority .....	\$27,017,724,000	\$26,087,702,000	\$25,944,125,000
Receipts:			
Department of the Interior .....	12,362,043,000	16,543,864,000	16,628,022,000
Forest Service .....	506,251,000	365,870,000	369,020,000
Total receipts .....	12,868,294,000	16,909,734,000	16,997,042,000

#### APPLICATION OF GENERAL REDUCTIONS

The level at which sequestration reductions shall be taken pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, if such reductions are required in fiscal year 2007, is defined by the Committee as follows:

As provided for by section 256(1)(2) of Public Law 99–177, as amended, and for the purpose of a Presidential Order issued pursuant to section 254 of said Act, the term “program, project, and activity” for items under the jurisdiction of the Appropriations Subcommittees on the Department of the Interior, Environmental Protection Agency, and Related Agencies of the House of Representatives and the Senate is defined as (1) any item specifically identified in tables or written material set forth in the Interior, Environment, and Related Agencies Appropriations Act, or accompanying committee reports or the conference report and accompanying joint explanatory statement of the managers of the committee of conference; (2) any Government-owned or Government-operated facility; and (3) management units, such as National parks, National forests, National fish hatcheries, National wildlife refuges, research units, regional, State and other administrative units and the like, for which funds are provided in fiscal year 2007.

The Committee emphasizes that any item for which a specific dollar amount is mentioned in any accompanying report, including all increases over the budget estimate approved by the Committee, shall be subject to a percentage reduction no greater or less than the percentage reduction applied to all domestic discretionary accounts.

#### FEDERAL FUNDING OF INDIAN PROGRAMS

The Committee recommends appropriations of new budget authority aggregating \$5.9 billion for Indian programs in this bill in fiscal year 2007. This is an increase of \$62 million above the budget request and an increase of \$204 million above the amount appropriated for fiscal year 2006. Spending for Indian services by the Federal Government in total is included in the following table.

[In thousands of dollars]

Approps bills	FY 2005 actual	FY 2006 enacted	FY 2007 budget request
Department of Agriculture .....	941,973	948,068	954,969
Army Corps of Engineers .....	23,798	22,829	22,829
Department of Commerce .....	30,046	23,524	23,524
Department of Defense .....	18,000	18,000	237
Department of Education .....	2,514,369	2,561,947	2,592,639
Department of Health & Human Services .....	4,390,986	4,480,692	4,646,339
Department of Housing & Urban Development .....	641,392	686,668	689,040
Department of the Interior .....	2,918,680	2,832,497	2,819,962
Department of Justice .....	219,855	228,639	230,295
Department of Labor .....	89,032	67,804	64,066
Department of Transportation .....	315,153	348,594	388,897
Department of Veterans Affairs .....	567	325	615
Environmental Protection Agency .....	238,988	220,998	202,555
Small Business Administration .....	3,500	4,347	4,200
Smithsonian Institution .....	49,047	51,280	53,428
Department of the Treasury .....	4,000	4,000	0
Other Agencies & Independent Agencies .....	148,733	166,249	40,108
Grand Total .....	12,528,119	12,667,771	12,733,703

#### CONSTITUTIONAL AUTHORITY

Clause 3(d)(1) of rule XIII of the House of Representatives states that:

Each report of a committee on a bill or joint resolution of a public character, shall include a statement citing the specific powers granted to the Congress in the Constitution to enact the law proposed by the bill or joint resolution.

The Committee on Appropriations bases its authority to report this legislation from Clause 7 of Section 9 of Article I of the Constitution of the United States of America which states: "No money shall be drawn from the Treasury but in consequence of Appropriations made by law. \* \* \*"

Appropriations contained in this Act are made pursuant to this specific power granted by the Constitution.

#### REPROGRAMMING GUIDELINES

The Committee has revised the reprogramming guidelines to modify the threshold and approval requirements for the National Park Service construction account. This added flexibility is provided in light of the volatile nature of the construction market and the need to manage projects in a timely way consistent with the contracting requirements of the Federal Acquisition Regulations.

The following are the procedures governing reprogramming actions for programs and activities funded in the Interior, Environment, and Related Agencies Appropriations Act:

##### 1. *Definitions.*—

(a) "Reprogramming," as defined in these procedures, includes the reallocation of funds from one budget activity to another. In cases where either the House or Senate Committee report displays an allocation of an appropriation below the activity level, that more detailed level shall be the basis for reprogramming. For construction accounts, a reprogramming constitutes the reallocation of funds from one construction project (identified in the justification or Committee report) to

another. A reprogramming shall also consist of any significant departure from the program described in the agency's budget justifications. This includes proposed reorganizations even without a change in funding.

(b) "Committees" refer to the House and Senate Committees on Appropriations and, specifically, the Subcommittee on Interior, Environment, and Related Agencies.

2. *Guidelines for Reprogramming.*—

(a) A reprogramming should be made only when an unforeseen situation arises; and then only if postponement of the project or the activity until the next appropriation year would result in actual loss or damage. Mere convenience or desire should not be factors for consideration.

(b) Any project or activity, which may be deferred through reprogramming, shall not later be accomplished by means of further reprogramming; but, instead, funds should again be sought for the deferred project or activity through the regular appropriations process.

(c) Reprogramming should not be employed to initiate new programs or to change allocations specifically denied, limited or increased by the Congress in the Act or the report. In cases where unforeseen events or conditions are deemed to require changes, proposals shall be submitted in advance to the Committees, regardless of amounts involved, and be fully explained and justified.

(d) Reprogramming proposals submitted to the Committees for approval shall be considered approved 30 calendar days after receipt if the Committees have posed no objection. However, agencies will be expected to extend the approval deadline if specifically requested by either Committee.

(e) Proposed changes to estimated working capital fund bills and estimated overhead charges, deductions, reserves or holdbacks, as such estimates were presented in annual budget justifications, shall be submitted through the reprogramming process.

3. *Criteria and Exceptions.*—Any proposed reprogramming must be submitted to the Committees in writing prior to implementation if it exceeds \$500,000 annually or results in an increase or decrease of more than 10 percent annually in affected programs, with the following exceptions:

(a) With regard to the tribal priority allocations activity of the Bureau of Indian Affairs, Operation of Indian Programs account, there is no restriction on reprogrammings among the programs within this activity. However, the Bureau shall report on all reprogrammings made during the first 6 months of the fiscal year by no later than May 1 of each year, and shall provide a final report of all reprogrammings for the previous fiscal year by no later than November 1 of each year.

(b) With regard to the Environmental Protection Agency, State and Tribal Assistance Grants account, reprogramming requests associated with States and Tribes applying for partnership grants do not need to be submitted to the Committees for approval should such grants exceed the normal reprogramming limitations. In addition, the Agency need not submit a re-

quest to move funds between wastewater and drinking water objectives for those grants targeted to specific communities.

(c) With regard to National Park Service construction, the threshold is \$2,000,000 or 25 percent per project. For actions between \$500,000 and \$2,000,000, or between 10 and 25 percent, the Service should notify the Committee when it redirects dollars between projects or reduces the scope in order to accomplish contract awards. Reallocations that will result in a project cancellation or deferral must be submitted in writing through the Department. In lieu of scope reductions, the Service may apply other non-operational funding resources towards the implementation of a construction project if the use of such funds has been approved through the normal requirements for the other fund sources (such as recreation or concessions fees, Federal Lands Highways funds or maintenance improvement funds) and the aggregate application is within these reprogramming thresholds.

4. *Quarterly Reports.*—

(a) All reprogrammings shall be reported to the Committees quarterly and shall include cumulative totals.

(b) Any significant shifts of funding among object classifications also should be reported to the Committees.

5. *Administrative Overhead Accounts.*—For all appropriations where costs of administrative expenses are funded in part from ‘assessments’ of various budget activities within an appropriation, the assessments shall be shown in justifications under the discussion of administrative expenses.

6. *Contingency Accounts.*—For all appropriations where assessments are made against various budget activities or allocations for contingencies the Committees expect a full explanation, as part of the budget justification, consistent with section 405 of this Act. The explanation shall show the amount of the assessment, the activities assessed, and the purpose of the fund. The Committees expect reports each year detailing the use of these funds. In no case shall a fund be used to finance projects and activities disapproved or limited by Congress or to finance new permanent positions or to finance programs or activities that could be foreseen and included in the normal budget review process. Contingency funds shall not be used to initiate new programs.

7. *Report Language.*—Any limitation, directive, or earmarking contained in either the House or Senate report which is not contradicted by the other report nor specifically denied in the conference report shall be considered as having been approved by both Houses of Congress.

8. *Assessments.*—No assessments shall be levied against any program, budget activity, subactivity, or project funded by the Interior, Environment, and Related Agencies Appropriations Act unless such assessments and the basis therefore are presented to the Committees and are approved by such Committees, in compliance with these procedures.

9. *Land Acquisitions and Forest Legacy.*—

(a) Lands shall not be acquired for more than the approved appraised value (as addressed in section 301(3) of Public Law 91-646) except for condemnations and declarations of taking,

unless such acquisitions are submitted to the Committees for approval in compliance with these procedures.

(b) Subsection (a) does not apply to the National Park Service for tracts with an appraised value of \$500,000 or less.

10. *Land Exchanges*.—Land exchanges, wherein the estimated value of the Federal lands to be exchanged is greater than \$500,000, shall not be consummated until the Committees have had a 30-day period in which to examine the proposed exchange.

11. *Appropriations Structure*.—The appropriation structure for any agency shall not be altered without advance approval of the Committees.

#### ALLOCATING CONGRESSIONAL FUNDING PRIORITIES

The Committee continues to be concerned that the agencies funded by this Act are not following a standard methodology for allocating appropriated funds to the field where Congressional funding priorities are concerned. When Congressional instructions are provided, the Committee expects these instructions to be closely monitored and followed. The Committee directs that earmarks for Congressional funding priorities be first allocated to the receiving units, and then all remaining funds should be allocated to the field based on established procedures. Field units or programs should not have their allocations reduced because of earmarks for Congressional priorities without direction from or advance approval of the Committee.

#### FOCUSING ON CORE PROGRAMS

The Committee's fiscal year 2007 budget recommendations reflect the necessity to stay within a constrained allocation in this time of conflict in Iraq and homeland security concerns. The recommendations are also sensitive to the need to address the budget deficit. The Committee's recommendations reflect the belief that: (1) proposed cuts to many core programs are unacceptable; (2) large increases for grant programs are unrealistic; (3) reductions to Indian health, welfare and education programs are unacceptable; (4) critical forest health programs must be continued; (5) untested and unproven grant programs and new land acquisition are a low priority; and (5) large, expensive partnership projects that have not been approved in advance by the Committee are unacceptable because they result in additional operational costs and displace critical backlog maintenance requirements.

The 9 largest agencies in this bill have absorbed about \$800 million in pay costs and over \$440 million in other fixed cost increases, such as rent, utility, and fuel costs, over the past 6 years. As a result, the 9 largest agencies in the bill have received over \$1.2 billion in "hidden" decreases over the 6-year period from 2001 through 2006. These fixed cost and other funding absorptions have had a dramatic effect on critical staffing for the land management agencies in particular. For example, over the past 2 years, the U.S. Fish and Wildlife Service has lost 600 staff, which equates to a 7% staffing reduction. Fixed cost absorption by the remaining 28 smaller agencies and accounts in the bill is also creating program and staffing shortfalls in those agencies. The Committee urges the Administration to fund full pay and fixed cost increases in each fu-

ture budget request to stem the staffing and program declines experienced by the agencies throughout the bill.

Reductions to programs in Indian Country, including education grants, welfare, road maintenance, fire protection and Indian school and hospital construction funding have been restored to the maximum extent possible given the overall funding available in the Committee's recommendations for fiscal year 2007. The budget documents continue to indicate that talks regarding a possible settlement of the Cobell case. However, there has been a continued use of Bureau of Indian Affairs, Operation of Indian Programs (OIP) appropriation to pay for ongoing litigation support costs. This, does not in anyway, maintain our commitment to American Indian and Alaska Natives and the critically needed education and health programs that are central to our ability to meet those commitments.

The Committee appreciates the need for information technology improvements, enterprise services networks, and implementing portions of the President's management agenda. However, to date, a lot of funding has been dedicated to these initiatives without a well thought-out and reasonable approach to addressing requirements. Commercially available systems, through the private sector, should be used to the maximum extent possible rather than building customized new systems. Likewise, the Committee does not endorse the practice of assessing costs against programs to build bigger administrative bureaucracies in response to new administrative and technology requirements or the practice of reducing program budgets on the basis of presumed future savings. These costs should be clearly justified and requested under administrative accounts and any future savings associated with administrative improvements should be demonstrated before budget reductions are proposed. While portions of the Administration's management agenda may indeed be useful, funds should not be taken from all agencies to provide centralized funding for the various lead agencies. If funding is needed for government wide initiatives, it should be requested and managed by each lead agency.

The Committee has made difficult choices in formulating its fiscal year 2007 budget recommendations. Each agency funded in the Interior, Environment, and Related Agencies bill needs to examine its way of doing business in these constrained fiscal times and focus on its core, proven programs and on better management of resources.

## TITLE I—DEPARTMENT OF THE INTERIOR

### BUREAU OF LAND MANAGEMENT

The Bureau of Land Management is responsible for the multiple use management, protection, and development of a full range of natural resources, including minerals, timber, rangeland, fish and wildlife habitat, and wilderness on about 261 million acres of the Nation's public lands and for management of 700 million additional acres of Federally-owned subsurface mineral rights. The Bureau is the second largest supplier of public outdoor recreation in the Western United States.

Under the multiple-use and ecosystem management concept the Bureau administers more than 18,000 grazing permits and leases and nearly 13 million livestock animal unit months on 214 million

The Committee recommends \$185,936,000 for the Abandoned Mine Reclamation Fund, which is the same as the budget request and \$688,000 above the fiscal year 2006 enacted level. There is an additional \$100,000 that is estimated to be available in 2007 from performance board forfeiture receipts. The Committee has retained language, as in past years, which limits funding for minimum program states to \$1,500,000.

*Surface Mining Control and Reclamation Act (SMCRA).*—The Committee wholly supports the inclusion of an extension to the Surface Mining Control and Reclamation Act (SMCRA) through December 31, 2007 in the recent Emergency Supplemental Appropriations. However, a need for a more permanent solution is necessary. The Committee encourages the authorizing Committees to reach consensus and act on a legislative proposal, that would increase the rate at which dangerous abandoned sites would be reclaimed and provide a fair and reasonable method of compensating the states and other governments, which have completed abandoned mine reclamation activities. Without new legislative direction this problem and associated reclamation costs will continue to grow.

*Abandoned Coal Mine Sites.*—The Committee is concerned that the known inventory of unfunded environmental (Priority 3) coal problems totals \$1.8 billion and that Priority 3 problems have never been systematically inventoried. Therefore, the Committee directs the Office of Surface Mining Reclamation and Enforcement (OSM) to report to the Committee not later than December 31, 2006, on the methodology used to determine the current cost of the known inventory for unfunded environmental coal problems by State with an estimate of the scope and cost of doing a systematic inventory that includes the use of statistical samples from the various States.

*Bill Language.*—The Committee has included language which transfers the balance in the fund for the rural abandoned mine program (RAMP), which has not been used, to the Federal share fund, so the funds could be used in the future for emergencies and other Federal obligations.

#### ADMINISTRATIVE PROVISION

The Committee has retained the administrative provision proposed by the Administration's 2007 fiscal year budget request for the Office of Surface Mining Reclamation and Enforcement that allows the transfer of title for computer hardware, software and other technical equipment to State and Tribal regulatory and reclamation programs.

#### BUREAU OF INDIAN AFFAIRS

The Bureau of Indian Affairs was created in 1824. Its mission is founded on a government-to-government relationship and trust responsibility that results from treaties with Native groups. The Bureau delivers services to over 1.6 million Native Americans through 12 regional offices and 88 agency offices. In addition, the Bureau provides education programs to Native Americans through the operation of 118 day schools, 52 boarding schools, and 14 dormitories. The Bureau administers more than 56 million acres of land held

in trust status. Over 10 million of these acres belong to individuals and 46 million acres are held in trust for Tribes.

OPERATION OF INDIAN PROGRAMS

Appropriation enacted, 2006 .....	\$1,962,190,000
Budget estimate, 2007 .....	1,966,594,000
Recommended, 2007 .....	1,973,403,000
Comparison:	
Appropriation, 2006 .....	+11,213,000
Budget estimate, 2007 .....	+6,809,000

The amounts recommended by the Committee compared with the budget estimates by activity are shown in the following table:

	FY 2006 Enacted	FY 2007 Request	Recommended	Recommended versus Enacted	Request
(dollars in thousands)					
-----					
Operation of Indian Programs					
Tribal Budget System					
Tribal Government					
Aid to tribal government.....	36,699	36,256	36,256	-443	---
Consolidated tribal government program.....	61,352	63,413	63,413	+2,061	---
Self governance compacts.....	138,079	142,761	142,761	+4,682	---
Contract support.....	132,628	151,628	151,628	+19,000	---
Indian self-determination fund.....	971	---	---	-971	---
New tribes.....	1,402	316	316	-1,086	---
Tribal government program oversight.....	3,558	7,364	7,364	+3,806	---
Subtotal, Tribal Government.....	374,689	401,738	401,738	+27,049	---
-----					
Human Services					
Social services.....	31,614	32,254	32,254	+640	---
Welfare assistance.....	85,190	74,179	74,179	-11,011	---
Indian child welfare act.....	10,909	10,167	10,167	-742	---
Housing improvement program.....	18,830	18,849	18,849	+19	---
Human services program oversight.....	3,873	3,936	3,936	+63	---
Subtotal, Human Services.....	150,416	139,385	139,385	-11,031	---
-----					
Trust - Natural Resources Management					
Natural resources, general.....	4,925	4,158	4,158	-767	---
Irrigation operations and maintenance.....	13,042	12,480	12,480	-562	---
Rights protection implementation.....	21,262	18,148	19,148	-2,114	+1,000
Tribal management/development program.....	10,146	4,315	4,315	-5,831	---
Endangered species.....	1,192	230	230	-962	---
Integrated resource information program.....	1,250	1,250	1,250	---	---

(dollars in thousands)				
	FY 2006 Enacted	FY 2007 Request	Recommended	Recommended versus Request
			Enacted	
Agriculture and range.....	24,272	23,554	23,554	-718
Forestry.....	42,137	43,094	43,094	+957
Water resources.....	11,502	9,713	9,713	-1,789
Fish, wildlife and parks.....	6,525	6,506	6,506	-19
Minerals and mining.....	8,179	11,464	9,464	+1,285
Resource management program oversight.....	8,322	7,598	7,598	-724
Subtotal, Trust - Natural Resources Management..	152,754	142,510	141,510	-11,244
Trust - Real Estate Services				
Trust services, general.....	11,069	10,492	10,492	-577
Navajo-Hopi settlement program.....	1,139	1,162	1,162	+23
Probate.....	15,708	19,075	18,019	+2,311
Land title and records offices.....	13,436	13,835	13,835	+399
Real estate services.....	40,578	47,647	47,647	+7,069
Land records improvement.....	7,891	16,801	16,801	+8,910
Environmental quality.....	11,988	12,000	12,000	+12
Alaskan native programs.....	1,391	1,001	1,001	-390
Rights protection.....	14,274	14,345	14,345	+71
Real estate services oversight.....	24,368	16,291	16,291	-8,077
Subtotal, Trust - Real Estate Services.....	141,842	152,649	151,593	+9,751
Education				
Elementary and secondary programs (forward funded) .	457,750	457,352	457,352	-398
Elementary and secondary programs.....	77,223	60,800	73,859	-3,364
Post secondary programs.....	102,674	103,161	103,161	+487
Education management.....	8,783	17,842	17,842	+9,059
Subtotal, Education.....	646,430	639,155	652,214	+5,784
Subtotal, Trust - Real Estate Services.....				-1,056
Subtotal, Education.....				+13,059

	FY 2006 Enacted	FY 2007 Request	Recommended Recommended	Recommended versus Request
(dollars in thousands)				
Public Safety and Justice				
Law enforcement.....	193,377	201,620	197,426	+4,049
Tribal courts.....	17,621	12,109	12,109	-5,512
Fire protection.....	1,144	---	---	-1,144
Subtotal, Public Safety and Justice.....	212,142	213,729	209,535	-2,607
Community and Economic Development				
Job placement and training.....	8,396	8,467	8,467	+71
Economic development.....	4,407	4,401	4,401	-6
Road maintenance.....	27,386	25,336	25,336	-2,050
Community development.....	10,148	---	---	-10,148
Community development oversight.....	1,445	971	971	-474
Subtotal, Community and Economic Development.....	51,782	39,175	39,175	-12,607
Executive Direction and Administrative Services.....	232,135	238,253	238,253	+6,118
Total, Operation of Indian Programs.....	1,962,190	1,966,594	1,973,403	+11,213
				+6,809

The Committee recommends \$1,973,403,000 for the operation of Indian programs, \$6,809,000 above the budget request and \$11,213,000 above the fiscal year 2006 enacted level.

The Committee commends the Bureau of Indian Affairs for presenting the President's 2007 budget submission in the new budget structure. The old budget structure was confusing and complex and offered little opportunity to review funding levels and assess performance on a programmatic level, the Committee is hopeful that the new structure will enable a better working relationship between the Bureau and Tribal leaders and governments.

The Committee however, remains concerned about the amount of carryover monies in many of the accounts and about complaints from Tribes that there was inadequate consultation with Tribes and Tribal leaders during preparation of this year's budget. The Committee is also concerned that the process of making budgetary data available to Tribes is inadequate.

Therefore, the Committee directs the Bureau to update the Committee on how the budget structure is: (1) being received by the tribes; (2) aligned programmatically to provide full transparency for Tribal priority allocation funding, (3) increases accountability for Bureau programs and program managers, and (4) clearly delineates funding levels of the central and regional offices. The Committee direct that this report be received not later than December 31, 2006.

*Tribal Government.*—The Committee recommends \$401,738,000 for Tribal Government activities and operations, the same as the budget request and \$27,049,000 above the fiscal year 2006 enacted level.

*Human Services.*—The Committee recommends \$139,385,000 for human services, to include social services and welfare assistance, the same as the budget request and \$11,031,000 below the fiscal year 2006 enacted level.

The Committee included bill language as proposed by the Administration to allow the Secretary to exceed the welfare budget cap in cases of designated Federal disasters.

*Trust—Natural Resources Management.*—The Committee recommends \$141,510,000 for natural resources management and oversight, \$1,000,000 below the budget request and \$11,244,000 below the fiscal year 2006 enacted level. An increase of \$1,000,000 is provided for the Washington timber-fish-wildlife program, and should be used for the mass marking of salmon. A decrease of \$2,000,000 is for Energy Policy Act of 2005 program implementation.

*Trust—Real Estate Services.*—The Committee recommends \$151,593,000 for real estate services and oversight, \$1,056,000 below the budget request and \$9,751,000 above the fiscal year 2006 enacted level. The Committee agrees with the requested increase for trust services to implement reforms to address the probate backlog; however, a reduction of \$1,056,000 within the requested increase for probate backlog is necessary to restore decreases elsewhere in the 2007 budget request.

*Education.*—The Committee recommends \$652,214,000 for education, \$13,059,000 above the budget request and \$5,784,000 above the fiscal year 2006 enacted level. The Committee has fully restored the proposed reduction of \$16,371,000 to the Johnson-

O'Malley assistance grants. The Committee feels that the justification for the reduction, that there are other programs in the government that could provide these funds, is unfounded because there is no guarantee of a one-for-one correlation between the Department of Education grant opportunities and what Johnson-O'Malley provides to the Tribes. The Committee has also reduced Education—Elementary and Secondary Programs by \$3,311,000 because this is the amount of unused prior year funds available for fiscal year 2007.

The Committee believes that the United Tribes Technical College and Crownpoint Institute are institutions of higher learning that provide an educational benefit to Indian country. The continued reduction of funding for these institutions is of great concern. The Committee urges the Department and the Office of Management and Budget to give these colleges full consideration in future budget requests and to work with these institutions to resolve concerns and disparities over funding formulas prior to submission of the fiscal year 2008 budget request.

*Public Safety and Justice.*—The Committee recommends \$209,535,000 for public safety and justice, \$4,194,000 below the budget request and \$2,607,000 below the 2006 enacted level.

The funding provided for law enforcement should be used for high priority law enforcement needs in Indian country developed in consultation with the Tribes and Tribal leaders including, but not limited to, community policing programs and drug enforcement. The Bureau should provide the Committee a report detailing the use of law enforcement funds not later than December 31, 2006.

*Community and Economic Development.*—The Committee recommends \$39,175,000 for community and economic development, the same as the budget request and \$12,607,000 below the 2006 enacted level.

*Executive Direction and Administration Services.*—The Committee recommends \$238,253,000, the same as the budget request and \$6,118,000 above the fiscal year 2006 enacted level.

CONSTRUCTION

Appropriation enacted, 2006 .....	\$271,582,000
Budget estimate, 2007 .....	\$215,049,000
Recommended 2007 .....	215,799,000
Comparison:	
Appropriation, 2006 .....	– 55,783,000
Budget estimate, 2007 .....	+750,000

The amounts recommended by the Committee compared with the budget estimates by activity are shown in the following table:

(dollars in thousands)					
	FY 2006	FY 2007	Recommended	Recommended	
	Enacted	Request	Enacted	Enacted	Request
-----					
Construction					
Education.....	206,787	157,441	157,441	-49,346	---
Public safety and justice.....	11,603	11,611	11,611	+8	---
Resources management.....	45,099	37,810	38,560	-6,539	+750
General administration.....	2,105	2,111	2,111	+6	---
Construction management.....	5,988	6,076	6,076	+88	---
	-----	-----	-----	-----	-----
Total, Construction.....	271,582	215,049	215,799	-55,783	+750
	=====	=====	=====	=====	=====

The Committee recommends \$215,799,000 for construction, \$750,000 above the budget request and \$55,783,000 below the fiscal year 2006 enacted level.

*Education.*—The Committee recommends \$157,441,000 for education construction, the same as the budget request and \$49,346,000 below the fiscal year 2006 enacted level.

The Committee continues to support Indian school construction and repair funding. The Committee understands the need to slow-down new construction to allow planning and design to catch up with previously appropriated construction funding. The Committee does not, however, agree that the Bureau needs to reduce funding for new schools to finish ongoing projects. The Bureau has experienced large, unobligated carryover balances from prior years in the construction account.

The Committee directs the Bureau to report not later than March 1, 2007 on the projected obligation, by project, of the existing balance of carryover dollars as discussed during the fiscal year 2007 budget review; the time frame for obligation; the implementation of new policies and processes on enrollment projections and updated education space standards; and the modifications that have been made to strengthen existing planning and design policies.

*Public Safety and Justice.*—The Committee recommends \$11,611,000 for public safety and justice construction, the same as the budget request and \$8,000 above the fiscal year 2006 enacted level.

*Resources Management.*—The Committee recommends \$38,560,000 for resources management construction, \$750,000 above the budget request and \$6,539,000 below the fiscal year 2006 enacted level. The funding increase of \$750,000 is for upgrades and repairs for the Navajo Agriculture Products Industry irrigation project. This funding is in addition to the base funding provided in the budget for the Navajo Indian Irrigation Project.

*Navajo Indian Irrigation Project.*—The Committee remains concerned about the management of the Navajo Indian Irrigation Project (NIIP). Overhead costs of the project have been excessive and Bureau of Indian Affairs (BIA) management and oversight of the project has been confused and convoluted, with no one clearly in charge. As recently as 2004, nearly \$2.3 of a \$12.9 million appropriation was devoted to BIA staff and consultants, although the project is actually being constructed by the Bureau of Reclamation. Only \$9.98 million was transferred to Reclamation construction activities. To address this unacceptable situation, the Committee directs the Secretary to take the following actions:

1. Limit BIA staffing and other overhead costs from the construction appropriation for NIIP to not more than \$700,000.
2. Ensure that the balance of the amount provided for the project is made available to the Bureau of Reclamation immediately.
3. Develop a streamlined management structure assigning clear responsibility within BIA for NIIP and providing for seamless coordination between BIA and the Bureau of Reclamation.
4. Ensure that non-contract and indirect cost surcharges by the Bureau of Reclamation to the funds transferred from BIA are limited to the minimum amount necessary to support on-going construction and rehabilitation of NIIP.

The Committee further expects that the Secretary will give first priority within construction funding, including carryover, to correcting construction deficiencies and completing rehabilitation of the older blocks of NIIP.

*General Administration.*—The Committee recommends \$2,111,000 for general administration, the same as the budget request and \$6,000 above the fiscal year 2006 enacted level.

*Construction Management.*—The Committee recommends \$6,076,000 for construction management, the same as the budget request and \$88,000 above the fiscal year 2006 enacted level.

INDIAN LAND AND WATER CLAIM SETTLEMENTS AND MISCELLANEOUS  
PAYMENTS TO INDIANS

(INCLUDING TRANSFER OF FUNDS)

Appropriation enacted, 2006 .....	\$34,243,000
Budget estimate, 2007 .....	33,946,000
Recommended, 2007 .....	39,213,000
Comparison:	
Appropriation, 2006 .....	+4,970,000
Budget estimate, 2007 .....	+5,267,000

The Committee recommends \$39,213,000 for Indian land and water claim settlements and miscellaneous payments to Indians, \$5,267,000 above the budget request and \$4,970,000 below the 2006 enacted level. Funding includes \$625,000 for the White Earth land settlement, \$250,000 for Hoopa-Yurok, \$142,000 for Pyramid Lake, \$7,500,000 for Rocky Boy's, \$10,339,000 for the Cherokee, Choctaw and Chickasaw settlement, \$316,000 for Quinault, and \$20,041,000 for Nez Perce/Snake River. The changes to the budget request reflect the addition of \$5,067,000 which was requested in the Fish and Wildlife Service budget for the Idaho Salmon and Clearwater River Basins Habitat Account and \$200,000 which was requested in the Bureau of Land Management (BLM) budget for mitigation of BLM land transfers for the Nez Perce/Snake settlement.

INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

Appropriation enacted, 2006 .....	\$6,255,000
Budget estimate, 2007 .....	6,262,000
Recommended, 2007 .....	6,262,000
Comparison:	
Appropriation, 2006 .....	+7,000
Budget estimate, 2007 .....	0

The Committee recommends \$6,262,000 for the Indian guaranteed loan program account, the same as the budget request and \$7,000 above the fiscal year 2006 enacted level.

ADMINISTRATIVE PROVISIONS

The Committee has retained all administrative provisions proposed by the Administration's 2007 fiscal year budget request for the Bureau of Indian Affairs including changes to a prior administrative provision, limiting the use of funds in the executive direction and administrative service account and the provision proposed by the Administration that allows the use of funds from Indian Student Equalization Program (ISEP) for costs associated with student enrollment increases at Bureau-funded schools.

## INDIAN LAND CONSOLIDATION

Appropriation enacted, 20006 .....	34,006,000
Budget estimate, 2007 .....	\$59,449,000
Recommended, 2007 .....	34,006,000
Comparison:	
Appropriation, 2006 .....	0
Budget estimate, 2007 .....	-25,443,000

The Committee recommends \$34,006,000 for Indian Land Consolidation, \$25,443,000 below the budget request and the same as the fiscal year 2006 enacted level.

## NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION

## NATURAL RESOURCE DAMAGE ASSESSMENT FUND

The purpose of the Natural Resource Damage Assessment Fund is to provide the basis for claims against responsible parties for the restoration of injured natural resources. Assessments ultimately will lead to the restoration of injured resources and reimbursement for reasonable assessment costs from responsible parties through negotiated settlements or other legal actions. Operating on a "polluter pays" principle, the program anticipates recovering over \$32 million in receipts in fiscal year 2006, with the vast majority to be used for the restoration of injured resources. The program works to restore sites ranging in size from small town landfills to the Exxon Valdez oil spill of 1989 in Alaska.

Prior to fiscal year 1999, this account was included under the United States Fish and Wildlife Service appropriation. The account was moved to the Departmental Offices appropriation because its functions relate to several different bureaus within the Department of the Interior.

Appropriation enacted, 2006 .....	\$6,016,000
Budget estimate, 2007 .....	6,109,000
Recommended, 2007 .....	6,109,000
Comparison:	
Appropriation, 2006 .....	+93,000
Budget estimate, 2007 .....	0

The Committee recommends \$6,109,000, the budget request, for the natural resource damage assessment fund, an increase of \$93,000 above the fiscal year 2006 level.

## GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

Sections 101 and 102 provide for emergency transfer authority with the approval of the Secretary.

Section 103 provides for the use of appropriations for certain services.

Sections 104 through 106 prohibit the expenditure of funds for Outer Continental Shelf (OCS) oil leasing activities in certain areas. These OCS provisions are addressed under the Minerals Management Service.

Section 107 permits the transfer of funds between the Bureau of Indian Affairs and the Office of Special Trustee for American Indians.

Section 108 continues a provision permitting the redistribution of tribal priority allocation and tribal base funds to alleviate funding inequities.

Section 109 continues a provision permitting the conveyance of the Twin Cities Research Center of the former Bureau of Mines for the benefit of the National Wildlife Refuge System.

Section 110 continues a provision authorizing the Secretary of the Interior to use helicopter or motor vehicles to capture and transport horses and burros at the Sheldon and Hart National Wildlife Refuges.

Section 111 authorizes federal funds for Shenandoah Valley Battlefield NHD and Ice Age NST to be transferred to a State, local government, or other governmental land management entity for acquisition of lands.

Section 112 continues a provision prohibiting the closure of the underground lunchroom at Carlsbad Caverns NP, NM.

Section 113 continues a provision preventing the demolition of a bridge between New Jersey and Ellis Island.

Section 114 continues a provision limiting compensation for the Special Master and Court Monitor appointed by the Court in *Cobell v. Norton* to 200 percent of the highest Senior Executive Service rate of pay.

Section 115 continues a provision allowing the Secretary to pay private attorney fees for employees and former employees in connection with *Cobell v. Norton*.

Section 116 continues a provision dealing with the U.S. Fish and Wildlife Service's responsibilities for mass marking of salmonid stocks.

Section 117 prohibits the conduct of gaming under the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.) on lands described in section 123 of the Department of the Interior and Related Agencies Appropriations Act, 2001, or land that is contiguous to that land.

Section 118 continues a provision prohibiting the use of funds to study or implement a plan to drain or reduce water levels in Lake Powell.

Section 119 allows the National Indian Gaming Commission to collect \$13,000,000 in fees for fiscal year 2008.

Section 120 makes funds appropriated for fiscal year 2006 available to the tribes within the California Tribal Trust Reform Consortium and others on the same basis as funds were distributed in fiscal year 2005, and separates this demonstration project from the Department of the Interior's trust reform reorganization.

Section 121 provides for the renewal of certain grazing permits in the Jarbidge Field office of the Bureau of Land Management.

Section 122 authorizes the acquisition of lands and leases for Ellis Island.

Section 123 permits the Secretary of the Interior to issue grazing permits within the Mojave National Preserve.

Section 124 implements rules concerning winter snowmobile use on Yellowstone National Park.

Section 125 prohibits the use of funds for Center of Excellence and partnership "Skills Bank Training without Committee approval.

## TITLE II—ENVIRONMENTAL PROTECTION AGENCY

The Environmental Protection Agency was created by Reorganization Plan No. 3 of 1970, which consolidated nine programs

ministrative functions through detailed and expensive business process reengineering of financial services and human resources. The Albuquerque Service Center (ASC) appears to be a tremendous source of frustration for vendors and personnel who rely on it for basic financial transactions. The true costs of the ASC do not appear to be reflected in reports provided to the Administration or the Committee. The Forest Service must improve in this area. Before committing additional funds to the ASC, the Forest Service should demonstrate to the Appropriations Committees and to the public that the tasks and plan for its operation are well thought out and clear and include specific benchmarks and metrics. Therefore, the Committee directs the Forest Service to provide quarterly reports on business process reengineering efforts and transmit these to the House and Senate Committees on Appropriations and post them in an easily found location on the agency web-site. The Committee expects the Forest Service, working closely with the Department of Agriculture, to provide adequate Congressional notification at key benchmarks in these processes, and directs the Forest Service to document the funding requirements and accomplishments in subsequent budget justifications.

The Committee understands that the Forest Service is considering a long term lease for a large building with hundreds of office work stations in Albuquerque, NM, to house approximately half of its headquarters personnel. The Committee understands that in 2008 the Service will lose its office lease in Rosslyn, VA, which currently houses almost half of the Washington office staff. The Committee encourages the Forest Service to review seriously the costs of such a move and to consult with the House Committees on Appropriations, Agriculture, and Resources and the Senate Committees on Appropriations and Energy and Natural Resources before committing to a long term lease. The Service should evaluate carefully management, policy, and leadership needs at both the national and regional levels. Given the Forest Service budget situation, the efficiencies available with modern computing and telecommunications devices, and the huge cost of maintaining so many regional offices, the Committee suggests that greater administrative savings could be achieved from a streamlined regional role and structure. Furthermore, the Committee notes the large cost overruns which occurred last year and this year when the Forest Service paid change of station costs for many more personnel than the Service had predicted would move to Albuquerque. It seems likely that similar cost overruns would occur in 2008 if the Forest Service has to pay for new office space at headquarters, or pay extensive relocation or termination costs, and also support a large, new facility in New Mexico. Such important management decisions, with such large cost implications, should have the benefit of open, public discussion and Congressional coordination.

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### INDIAN HEALTH SERVICE

#### INDIAN HEALTH SERVICES

The provision of Federal health services to Indians is based on a special relationship between Indian tribes and the U.S. Govern-

ment first set forth in the 1830s by the U.S. Supreme Court under Chief Justice John Marshall. Numerous treaties, statutes, constitutional provisions, and international law have reconfirmed this relationship. Principal among these is the Snyder Act of 1921, which provides the basic authority for most Indian health services provided by the Federal Government to American Indians and Alaska Natives. The Indian Health Service (IHS) provides direct health care services in 33 hospitals, 52 health centers, 2 school health centers, and 38 health stations. Tribes and tribal groups, through contracts and compacts with the IHS, operate 15 hospitals, 220 health centers, 9 school health centers, and 260 health stations (including 162 Alaska Native village clinics). The IHS, tribes, and tribal groups also operate 11 regional youth substance abuse treatment centers and 2,241 units of staff quarters.

Appropriation enacted, 2006 .....	\$2,692,009,000
Budget estimate, 2007 .....	2,822,500,000
Recommended, 2007 .....	2,830,136,000
Comparison:	
Appropriation, 2006 .....	+138,037,000
Budget estimate, 2007 .....	+7,636,000

The amounts recommended by the Committee compared with the budget estimates by activity are shown in the following table:

(dollars in thousands)				
	FY 2006 Enacted	FY 2007 Request	Recommended	Recommended versus Enacted Request
<b>Indian Health Services</b>				
<b>Clinical Services</b>				
IHS and tribal health delivery				
Hospital and health clinic programs.....	1,339,539	1,429,772	1,439,047	+99,508
Dental health program.....	117,731	126,957	126,957	+9,226
Mental health program.....	58,455	61,695	61,695	+3,240
Alcohol and substance abuse program.....	143,198	150,634	150,634	+7,436
Contract care.....	499,562	536,259	536,259	+36,697
Catastrophic health emergency fund.....	17,735	18,000	18,000	+265
Subtotal, Clinical Services.....	2,176,220	2,323,317	2,332,592	+156,372
<b>Preventive Health</b>				
Public health nursing.....	48,959	53,043	53,043	+4,084
Health education.....	13,584	14,490	14,490	+906
Community health representatives program.....	52,946	55,790	55,790	+2,844
Immunization (Alaska).....	1,621	1,708	1,708	+87
Subtotal, Preventive Health.....	117,110	125,031	125,031	+7,921
<b>Urban health projects.....</b>				
Indian health professions.....	32,744	---	32,744	---
Tribal management.....	31,039	31,697	31,697	+658
Direct operations.....	2,394	2,488	2,488	+94
Self-governance.....	62,194	63,804	63,804	+1,610
Contract support costs.....	5,668	5,847	5,847	+179
Fixed cost decrease.....	264,730	270,316	270,316	+5,586
	---	---	-34,383	-34,383

(dollars in thousands)				
	FY 2006 Enacted	FY 2007 Request	Recommended	Recommended versus Enacted Request
Medicare/Medicaid Reimbursements				
Hospital and clinic accreditation (Est. collecting)	(648,208)	(684,119)	(684,119)	(+35,911)
Total, Indian Health Services	2,692,099	2,822,500	2,830,136	+138,037
(Non-contract services)	(2,174,802)	(2,268,241)	(2,275,877)	(+101,075)
(Contract care)	(499,562)	(536,259)	(536,259)	(+36,697)
(Catastrophic health emergency fund)	(17,735)	(18,000)	(18,000)	(+265)

The Committee recommends \$2,830,136,000 for Indian Health Services, an increase of \$7,636,000 above the budget request and \$138,037,000 above the fiscal year 2006 enacted level. Changes to the budget request are detailed below.

*Clinical Services.*—The Committee recommends an increase of \$9,275,000 in hospital and health clinic programs for the Indian Health Care Improvement Fund. Direction on the distribution of these funds is provided below.

*Urban Indian Health Clinics.*—The Committee recommends an increase of \$32,744,000 to restore funding for the 32 urban Indian clinics.

*Fixed Cost Decreases.*—The Committee recommends a decrease of \$34,383,000, which will enable the Service to fund 60 percent of its fixed cost increases for medical inflation and population growth.

The Committee agrees to the following:

1. Funds for the Indian Health Care Improvement Fund should be distributed using the same methodology as in 2003. Of the available funds, 70 percent is for the 28 units funded below 40 percent of need in 2005 and 30 percent is for the remaining 133 units funded below 60 percent of need in 2005.

2. The budget continues funding in the dental program for Clinical and Preventive Support Centers. This is a critical national effort and the Committee expects the Service to continue to manage and fund these programs through IHS headquarters. These funds should not be subject to tribal share distributions.

3. The Committee continues to be concerned about the high vacancy rates of health care providers at IHS and tribal facilities and expects the Service to investigate the feasibility of establishing a central credentialing system, which would enhance the use of volunteers in fields such as dentistry. The Service should report to the Committee by February 28, 2006, addressing the feasibility of using the Defense Department's credentialing system or developing a separate IHS system. The report should specifically address streamlining the process for credentialing volunteers, including credentialing volunteers to work at multiple sites and over multiple years without having to be re-credentialed.

4. The pharmacist intern program is continued at the fiscal year 2006 level. The Committee is pleased with the success of this program, which was established with funds recommended by the Committee 7 years ago, and notes that the Service has retained 90 percent of interns beyond their initial residency year.

5. The Service should use a weighted formula for distributing loan repayment funding to address its most critical vacancies. As of March 13, 2006, the key categories, including the number of vacant positions and the vacancy rate by category, were:

- 1) Dentistry—116 vacancies—28%;
- 2) Podiatry—10 vacancies—25%;
- 3) Medical imaging—58 vacancies—20%;
- 4) Nursing—738 vacancies—18%;
- 5) Therapy—19 positions—17%;
- 6) Medical technology—43 vacancies—12%;
- 7) Physician—100 vacancies—11%;
- 8) Pharmacy—59 vacancies—11%; and
- 9) Optometry—17 positions—11%.

6. The Service should continue and expand its efforts to collect reimbursements from private insurance providers, including the use of contract bill collectors who provide services in exchange for a reasonable percentage of monies collected.

7. The Service should complete its revision of its contract support cost policy as soon as possible. The Committee will consider providing funding for new and expanded contracts in future fiscal years based upon the revised policy.

8. Funding for the urban health program has been restored and the proposal to eliminate this program is rejected. Funding for IHS urban clinics is levered with nearly \$2 for every \$1 contributed by the Service. The Program Assessment Rating Tool score for the program was one point shy of “moderately effective”, which is a score that many of the government programs in this bill can only hope to achieve in the future. The Committee encourages the Service to work with HHS to help these clinics get additional funding through the Community Health Centers program and to work with the individual clinics on continued improvements in health services delivery.

INDIAN HEALTH FACILITIES

Appropriation enacted, 2006 .....	\$353,211,000
Budget estimate, 2007 .....	347,287,000
Recommended, 2007 .....	363,573,000
Comparison:	
Appropriation, 2006 .....	+10,362,000
Budget estimate, 2007 .....	+16,286,000

The amounts recommended by the Committee compared with the budget estimates by activity are shown in the following table:

(dollars in thousands)					
	FY 2006	FY 2007	Recommended	Recommended	Recommended versus
	Enacted	Request	Enacted	Request	Request
<b>Indian Health Facilities</b>					
Maintenance and improvement.....	51,633	52,668	52,668	+1,035	---
Sanitation facilities.....	92,143	94,003	94,003	+1,860	---
Construction facilities.....	37,779	17,664	36,664	-1,115	+19,000
Facilities and environmental health support.....	150,709	161,333	161,333	+10,624	---
Equipment.....	20,947	21,619	21,619	+672	---
Fixed cost decrease.....	---	---	-2,714	-2,714	-2,714
<b>Total, Indian Health Facilities.....</b>	<b>353,211</b>	<b>347,287</b>	<b>363,573</b>	<b>+10,362</b>	<b>+16,286</b>

The Committee recommends \$363,573,000 for Indian health facilities, an increase of \$16,286,000 above the budget request and \$10,362,000 above the fiscal year 2006 enacted level. Changes to the budget request are detailed below.

*Health Care Facilities Construction.*—The Committee recommends an increase of \$19,000,000 for health care facilities construction, which will continue the construction of the Kayenta and San Carlos, AZ clinics and restore partially funding for the Services dental facilities program, small ambulatory facilities program, and joint ventures program. Funding is detailed in the table below.

*Fixed Cost Decreases.*—The Committee recommends a decrease of \$2,714,000, which will enable the Service to fund 60 percent of its fixed cost increases for medical inflation and population growth.

The Committee agrees to the following distribution of health care facilities construction funds:

Project	2007 Request	Committee Recommendation
Ambulatory Care Centers:		
Kayenta, AZ Health Center .....	0	\$6,000,000
Phoenix, AZ SW Health Center .....	\$17,664,000	17,664,000
San Carlos, AZ Health Center .....	0	4,000,000
Other Facilities:		
Dental Facilities Program .....	0	2,000,000
Joint Ventures .....	0	2,000,000
Small Ambulatory Facilities .....	0	5,000,000
Total .....	\$17,664,000	\$36,664,000

The Committee agrees to the following:

1. The Service needs to do a better job of requesting and justifying construction funding for its hospital and clinic facility needs. At the level of funding requested in 2007, it would take 48 years to complete the facilities on the current priority list. There are many facilities that should to be added to the list now and, in 48 years, all of the IHS facilities will need to be replaced or require major renovation. Even when the facilities construction program was much more generously funded, it took between 11 and 15 years from the time a proposal was received from a tribe until construction was completed. At the funding level requested for 2007, some facilities on the current priority list would wait more than 60 years from proposal submission until completion of construction and tribal facilities not on the list would wait considerably longer than that. Sixty years is beyond the reasonable life expectation for a hospital or clinic. Currently, about one third of the IHS-operated hospitals and health centers are more than 40 years old.

2. The current IHS maintenance budget is less than half of what is required, if you apply commercial sector health care standards. Without progress on new and renovated facilities, the maintenance backlog will grow at a rapid pace from the current backlog level of nearly half a billion dollars.

3. In determining priorities for project funding under the joint ventures program for hospitals and clinics, the Service should provide additional credit to tribes that are willing to provide full funding for facility equipment in addition to providing full funding for facility construction.

4. Funding for small ambulatory facilities should be used to select additional projects from the most recent solicitation.

5. The Service should continue to apply a cap of \$2,000,000 for any single small ambulatory facility project and most, if not all projects should be funded substantially below that level.

6. Funds for sanitation facilities for new and renovated housing should be used to serve housing provided by the Bureau of Indian Affairs housing improvement program, new homes, and homes renovated to like-new condition. Onsite sanitation facilities may also be provided for homes occupied by the disabled or sick who have physician referrals indicating an immediate medical need for adequate sanitation facilities at home.

7. Sanitation funds should not be used to provide sanitation facilities for new homes funded by the housing programs of the Department of Housing and Urban Development (HUD). HUD should provide any needed funds to the IHS for that purpose.

8. The IHS may use up to \$5,000,000 in sanitation funding for projects to clean up and replace open dumps on Indian lands pursuant to the Indian Lands Open Dump Cleanup Act of 1994.

NATIONAL INSTITUTES OF HEALTH

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

The National Institute of Environmental Health Sciences, an agency within the National Institutes of Health, was authorized in section 311(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 and in section 126(g) of the Superfund amendments and Reauthorization Act of 1986 to conduct certain research and worker training activities associated with the nation's Hazardous Substance Superfund program.

Appropriation enacted, 2006 .....	\$79,108,000
Budget estimate, 2007 .....	78,414,000
Recommended, 2007 .....	79,414,000
Comparison:	
Appropriation, 2006 .....	+306,000
Budget estimate, 2007 .....	+1,000,000

The Committee recommends \$79,414,000 for the National Institute of Environmental Health Sciences, an increase of \$1,000,000 above the budget request and \$306,000 above fiscal year 2006 enacted level. The increase above the budget request is for individual project grants.

*Bill Language.*—The Committee recommends bill language providing two-year funding availability for individual project grants.

The Committee encourages the Institute to expand its individual project grants over the next 3 years so that a more robust program is developed. In 2006, \$2,000,000 is being used for these grants. The Committee has provided a total of \$3,000,000 for 2007 and encourages the Institute to provide \$4,000,000 in 2008 and \$5,000,000 in 2009 and subsequent years.

AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY

TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC HEALTH

The Agency for Toxic Substances and Disease Registry (ATSDR), an agency of the Public Health Service, was created in section

solely from donated funds raised by the U.S. Holocaust Memorial Museum Campaign and appropriated funds were used for planning and development of programmatic components, overall administrative support, and annual commemorative observances. Since the opening of the museum, appropriated funds have been provided to pay for the ongoing operating costs of the museum as authorized by Public Law 102–529 and Public Law 106–292.

Appropriation enacted, 2006 .....	\$42,150,000
Budget estimate, 2007 .....	43,786,000
Recommended, 2007 .....	43,415,000
Comparison:	
Appropriation, 2006 .....	+1,265,000
Budget estimate, 2007 .....	–371,000

The Committee recommends \$43,415,000 for the Holocaust Memorial Museum, a decrease of \$371,000 below the budget request and \$1,265,000 above the fiscal year 2006 enacted level. This increase is 3.0% above the enacted funding level.

#### PRESIDIO TRUST

##### PRESIDIO TRUST FUND

Appropriation enacted, 2006 .....	\$19,706,000
Budget estimate, 2007 .....	19,256,000
Recommended, 2007 .....	19,256,000
Comparison:	
Appropriation, 2006 .....	–450,000
Budget estimate, 2007 .....	0

The Committee recommends \$19,256,000 for the Presidio Trust Fund, the same as the budget request and \$450,000 below the fiscal year 2006 enacted level.

#### WHITE HOUSE COMMISSION ON THE NATIONAL MOMENT OF REMEMBRANCE

##### SALARIES AND EXPENSES

Appropriation enacted, 2006 .....	\$247,000
Budget estimate, 2007 .....	200,000
Recommended, 2007 .....	200,000
Comparison:	
Appropriation, 2006 .....	–47,000
Budget estimate, 2007 .....	0

The White House Commission on the National Moment of Remembrance, established by Public Law 106–579, was created to (1) sustain the American spirit through acts of remembrance, not only on Memorial Day, but throughout the year; (2) institutionalize the National Moment of Remembrance; and (3) to enhance the commemoration and understanding of Memorial Day. The Committee recommends an appropriation of \$200,000, a decrease of \$47,000 below the fiscal year 2006 enacted level and the same as the budget request.

#### TITLE IV—GENERAL PROVISIONS

Section 401 continues a provision providing for public availability of information on consulting services contracts.

Section 402 continues a provision prohibiting activities to promote public support or opposition to legislative proposals.

Section 403 continues a provision providing for annual appropriations unless expressly provided otherwise in this Act.

Section 404 continues a provision limiting the use of personal cooks, chauffeurs or servants.

Section 405 provides for restrictions on departmental assessments unless approved by the Committees on Appropriations.

Section 406 prohibits the transfer of funds unless provided in this or other Acts.

Section 407 continues a provision limiting the sale of giant sequoia.

Section 408 continues a limitation on accepting and processing applications for patents and on the patenting of Federal lands; permits processing of grandfathered applications; and permits third-party contractors to process grandfathered applications.

Section 409 continues a provision limiting payments for contract support costs in past years to the funds available in law and accompanying report language in those years for the Bureau of Indian Affairs and the Indian Health Service.

Section 410 continues a limitation on completing and issuing the five-year program under the Forest and Rangeland Renewable Resources Planning Act.

Section 411 continues a provision permitting the Forest Service to use the roads and trails fund for backlog maintenance and priority forest health treatments.

Section 412 continues a provision limiting the use of answering machines during core business hours except in case of emergency and requires an option of talking to a person. The American taxpayer deserves to receive personal attention from public servants.

Section 413 continues a provision clarifying the Forest Service land management planning revision requirements.

Section 414 continues a provision limiting preleasing, leasing, and related activities within the boundaries of National monuments.

Section 415 continues a provision providing the Secretary of the Interior and the Secretary of Agriculture the authority to enter into reciprocal agreements with foreign nations concerning the personal liability of firefighters.

Section 416 continues a provision authorizing the Secretary of the Interior and the Secretary of Agriculture to give consideration to rural communities, local and non-profit groups, and disadvantaged workers in entering into contracts for hazardous fuels and watershed projects.

Section 417 continues a provision limiting the use of funds for filing declarations of takings or condemnations. This provision does not apply to the Everglades National Park Protection and Environmental Act.

Section 418 provides guidance on competitive sourcing activities and clarifies annual reporting requirements to specify the reporting of the full costs associated with sourcing studies and related activities. Language is also included concerning the Forest Service so the problems associated with the previous, faulty competitive sourcing studies are not repeated in the future.

Section 419 prohibits the expenditure of funds on Safecom and Disaster Management.

Section 420 amends the Interior and Related Agencies Appropriations Act, 2000, to extend an authority concerning Forest Service administration of rights-of-way and land uses.

Section 421 allows the Secretary of Agriculture to complete an exchange of a leasehold interest at the San Bernardino International Airport for lands and buildings located adjacent to the former Norton Air Force Base in California. This exchange will allow the Secretary to relocate the forest supervisor’s office of the San Bernardino National Forest into buildings owned by the United States, which will result in lease cost savings and improved service to the public.

Section 422 prohibits the use of funds in this Act for competitive sourcing studies by the Department of the Interior and the Forest Service for activities relating to wildfire management or wildfire suppression programs.

Section 423 requires that before funding in this Act can be used to support the work on the Fire Program Analysis (FPA) system, the Secretary of Agriculture and the Secretary of the Interior must certify, in writing, that the FPA system will accomplish the existing work plan for the system, as determined by the Wildland Fire Leadership Council, and that State wildfire agencies will be full participants in the use of the system.

Section 424 limits compensation of Smithsonian employees to the rate of pay of the President of the United States.

Section 425 expresses the sense of the Congress with respect to greenhouse gas emissions control.

TITLE V—SUSPENSION OF ROYALTY RELIEF

Title V provides direction to the Secretary of the Interior on suspension of royalty relief for oil and gas production on Federal lands.

RESCISSIONS

Pursuant to clause 3(f)(2), rule XIII of the Rules of the House of Representatives, the following table is submitted describing the rescissions recommended in the accompanying bill:

Department of the Interior: Land and Water Conservation Fund (contract authority) .....	\$30,000,000
Environmental Protection Agency: State and Tribal Assistance Grants .....	indefinite

TRANSFERS OF FUNDS

Pursuant to clause 3(f)(2), rule XIII of the Rules of the House of Representatives, the following table is submitted describing the transfers of funds provided in the accompanying bill.

APPROPRIATION TRANSFERS RECOMMENDED IN THE BILL

Account from which transfer is to be made	Amount	Account to which transfer is to be made	Amount
Department of the Interior, Bureau of Land Management, Wildland Fire Management.	\$9,000,000	Department of Agriculture, Forest Service, Wildland Fire Management.	\$9,000,000
Department of the Interior, Indian Land and Water Claim Settlements and Miscellaneous Payments to Indians.	200,000	Department of the Interior, Bureau of Land Management, Management of Lands and Resources.	200,000

Account from which transfer is to be made	Amount	Account to which transfer is to be made	Amount
Environmental Protection Agency, Hazardous Substance Superfund.	13,316,000	Office of Inspector General .....	13,316,000
Environmental Protection Agency, Hazardous Substance Superfund.	30,011,000	Science and Technology .....	30,011,000
Department of Agriculture, Forest Service, Wildland Fire Management.	9,000,000	Department of the Interior, Bureau of Land Management, Wildland Fire Management.	9,000,000
Department of Agriculture, Forest Service, Capital Improvement and Maintenance.	7,400,000	Department of Agriculture, Forest Service, Wildland Fire Management.	7,400,000

CHANGES IN APPLICATION OF EXISTING LAW

Pursuant to clause 3, rule XIII of the Rules of the House of Representatives, the following Statements are submitted describing the effect of provisions in the accompanying bill, which directly or indirectly change the application of existing law. In most instances these provisions have been included in prior appropriations Acts.

The Bill includes the following changes in application of existing law:

OVERALL BILL

1. Providing that certain appropriations remain available until expended or extends the availability of funds beyond the fiscal year where programs or projects are continuing but for which legislation does not specifically authorize such extended availability. This authority tends to result in savings by preventing the practice of committing funds on low priority projects at the end of the fiscal year to avoid losing the funds.

2. Limiting, in certain instances, the obligation of funds for particular functions or programs. These limitations include restrictions on the obligation of funds for administrative expenses, travel expenses, the use of consultants, and programmatic areas within the overall jurisdiction of a particular agency.

3. Limiting official entertainment or reception and representation expenses for selected agencies in the bill.

4. Continuing ongoing activities of those Federal agencies, which require annual authorization or additional legislation, which has not been enacted.

*TITLE I—DEPARTMENT OF THE INTERIOR*

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

5. Providing funds to the National Fish and Wildlife Foundation under certain conditions.

6. Permitting the use of fees from communication site rentals.

7. Permitting the collection of fees for processing mining applications and for certain public land uses.

8. Permitting the use of mining fee collections for program operations.

9. Providing for a Youth Conservation Corps.

WILDLAND FIRE MANAGEMENT

10. Permitting the repayments of funds transferred from other accounts for firefighting.

11. Permitting the use of funds for lodging and subsistence of firefighters.

12. Permitting the use of grants, contracts and cooperative agreements for hazardous fuels reduction, including cost-sharing and local assistance.

13. Permitting reimbursement to the Fish and Wildlife Service and the National Marine Fisheries Service for consultation activities under the Endangered Species Act.

14. Permitting the use of firefighting funds for the leasing of properties or the construction of facilities.

15. Providing for the transfer of funds between the Department of the Interior and the Department of Agriculture.

16. Providing funds for support of Federal emergency response actions.

#### OREGON AND CALIFORNIA GRANT LANDS

17. Authorizing the transfer of collections from the Oregon and California Land Grants Fund to the Treasury.

#### FOREST ECOSYSTEMS HEALTH AND RECOVERY FUND

18. Permitting the use of salvage timber receipts in the forest ecosystems health and recovery fund.

#### SERVICE CHARGES, DEPOSITS, AND FORFEITURES

19. Allowing the use of service charges, deposits and forfeitures funds on any damaged public lands.

20. Authorizing the Secretary to use monies from forfeitures, compromises or settlements for improvement, protection and rehabilitation of public lands under certain conditions.

#### ADMINISTRATIVE PROVISIONS

21. Permitting the payment of rewards for information on violations of law on Bureau lands

22. Providing for cost-sharing arrangements for printing services.

23. Amending 30 U.S.C. 28 making a minor technical change to mining law to clarify the time of day annual work on claims must be registered and extending the existing mine claim maintenance fee authority.

24. Permitting the use of refunds and rebates from an information technology vendor.

#### *UNITED STATES FISH AND WILDLIFE SERVICE*

#### RESOURCE MANAGEMENT

25. Allowing for the maintenance of the herd of long-horned cattle on the Wichita Mountains Wildlife Refuge. Without this language, the long-horned cattle would have to be removed from the refuge.

26. Providing for a Youth Conservation Corps.

27. Limiting funding for certain Endangered Species Act listing programs.

28. Permitting payment for information or rewards in the law enforcement program.

29. Earmarking funds for contaminant analysis.

LAND ACQUISITION

30. Limiting the use of funds for administrative overhead, planning, and other management costs.

LANDOWNER INCENTIVE PROGRAM

31. Providing matching landowner incentive grants to States and territories.

PRIVATE STEWARDSHIP GRANTS PROGRAM

32. Providing private stewardship grants for private conservation efforts.

STATE TRIBAL WILDLIFE GRANTS

33. Specifying the State and Tribal Wildlife grants distribution formula, the planning and cost-sharing requirements, requiring that funds unobligated after two years be reapportioned, and limiting administrative costs.

34. Providing that no State, Territory, or other jurisdiction shall receive a grant if its conservation plan is disapproved.

ADMINISTRATIVE PROVISIONS

35. Limiting the purchase of motor vehicles.

36. Providing for repair of damage to public roads.

37. Providing options for the purchase of land not to exceed \$1.

38. Permitting cost-shared arrangements for printing services.

39. Permitting the use of funds for employment related legal services.

40. Permitting the acceptance of donated aircraft.

41. Limiting the use of funds for establishing new refuges.

*NATIONAL PARK SERVICE*

OPERATION OF THE NATIONAL PARK SYSTEM

42. Allowing road maintenance service to trucking permittees on a reimbursable basis. This provision has been included in annual appropriations Acts since 1954.

43. Providing for a Youth Conservation Corps program.

44. Restricting the use of funds for the United States Park Police.

45. Providing that funds may be spent without regard to the "no net loss" law enforcement policy.

NATIONAL RECREATION AND PRESERVATION

46. Limiting the use of cooperative agreements and any form of cash grant for the rivers, trail, and conservation assistance program.

HISTORIC PRESERVATION FUND

47. Providing grants for Save America's Treasures and Preserve America to be matched by non-Federal funds, that individual projects are only eligible for one grant and are subject to consultation, and that funds for Federal projects are available by transfer to individual agencies.

## CONSTRUCTION

- 48. Limiting funds for Park Service Partnership projects with certain exceptions.
- 49. Limiting donation or services associated with new facilities.
- 50. Providing funds for modified water deliveries to Everglades National Park with certain restrictions.
- 51. Permitting the issuance of procurements for the full scope of projects for the National Mall and other historical sites.

## LAND AND WATER CONSERVATION FUND

- 52. Rescinding \$30,000,000 in land and water conservation fund contract authority.

## LAND ACQUISITION AND STATE ASSISTANCE

- 53. Prohibiting the use of funds to establish a contingency fund.

## ADMINISTRATIVE PROVISIONS

- 54. Preventing the implementation of an agreement for the redevelopment of the southern end of Ellis Island.
- 55. Providing for a grant to the Washington Tennis and Education Foundation.
- 56. Limiting the use of funds for the United Nation's Biodiversity Convention.
- 57. Permitting the use of funds for workplace safety needs.
- 58. Allowing the Secretary of the Interior to appeal value determinations.
- 59. Allowing certain franchise fees to be available for expenditure without further appropriation to extinguish or reduce liability for certain possessory interests.

*UNITED STATES GEOLOGICAL SURVEY*

## SURVEYS, INVESTIGATIONS, AND RESEARCH

- 60. Providing for two-year availability of funds for biological research and for the operations of cooperative research units.
- 61. Prohibiting the conduct of new surveys on private property without permission.
- 62. Requiring cost sharing for cooperative topographic mapping and water resource data collection activities.

## ADMINISTRATIVE PROVISIONS

- 63. Permitting the use of certain contracts, grants, and cooperative agreements.
- 64. Recognizing students and recent graduates as Federal employees for the purposes of travel and work injury compensation.
- 65. Requiring the continued operation of the Mid-Continent Mapping Center in Rolla, MO.

*MINERALS MANAGEMENT SERVICE*

## ROYALTY AND OFFSHORE MINERALS MANAGEMENT

- 66. Permitting the use of excess receipts from Outer Continental Shelf leasing activities.

67. Providing no year funding availability for computer acquisitions.

68. Providing for reasonable expenses related to volunteer beach and marine cleanup activities.

69. Providing for refunds for overpayments on Indian allottee leases.

70. Permitting the use of receipts for administration of the Coastal Impact Assistance Program.

*OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT*

REGULATION AND TECHNOLOGY

71. Permitting the use of monies collected pursuant to assessment of civil penalties to reclaim lands affected by coal mining after August 3, 1977.

72. Permitting payment to State and tribal personnel for travel and per diem expenses for training.

ABANDONED MINE RECLAMATION FUND

73. Earmarking Abandoned Mine Reclamation funds for acid mine drainage.

74. Limiting grants to minimum program States.

75. Allowing the use of debt recovery to pay for debt collection.

76. Reallocating amounts in the Abandoned Mine Land Reclamation fund dedicated to the rural program (collected under section 402(g)(2) of the Surface Mining Control and Reclamation Act of 1977), to the federal share portion of the fund (section 402(g)(3)).

77. Allowing funds to be used for travel expenses while attending training.

ADMINISTRATIVE PROVISION

78. Permits the Secretary to transfer title for computer equipment to States and Tribes.

*BUREAU OF INDIAN AFFAIRS*

OPERATION OF INDIAN PROGRAMS

79. Limiting funds for welfare assistance payments, except for disaster relief.

80. Limiting funds for contract support costs and for administrative cost grants for schools.

81. Permitting the use of tribal priority allocations for general assistance payments to individuals, for contract support costs, and school operations costs.

82. Providing for an Indian self-determination fund.

83. Allowing the transfer of certain forestry funds.

CONSTRUCTION

84. Providing for the transfer of Navajo irrigation project funds to the Bureau of Reclamation.

85. Providing that six percent of Federal Highway Trust Fund contract authority may be used for construction management costs.

86. Providing Safety of Dams funds on a nonreimbursable basis.

87. Requiring the use of administrative and cost accounting principles for certain school construction projects and exempting such projects from certain requirements.

88. Requiring conformance with building codes and health and safety standards and allowing the Secretary to assume control of a construction project under certain conditions.

89. Specifying the procedure for dispute resolution.

90. Allowing reimbursement of construction costs from the Office of Special Trustee.

#### MISCELLANEOUS PAYMENTS TO INDIANS

91. Permitting payment for the Quinault Indian Nation boundary settlement.

92. Providing funding for the Snake River Water Rights Act of 2004, including funding for habitat restoration by the State of Idaho and transfer of funds to the Bureau of Land Management for mitigation of land transfers.

#### ADMINISTRATIVE PROVISIONS

93. Allowing contracting for the San Carlos Irrigation Project.

94. Limiting use of funds for passenger motor vehicles.

95. Limiting the use of funds for contracts, grants and cooperative agreements.

96. Allowing tribes to return appropriated funds for distribution to other tribes.

97. Prohibiting funding of Alaska schools.

98. Limiting the number of schools and the expansion of grade levels in individual schools.

99. Permitting the use of Indian Student Equalization Program funds to offset costs associated with significant enrollment increases.

100. Specifying distribution of indirect and administrative costs for certain Tribes.

#### *DEPARTMENTAL OFFICES*

##### INSULAR AFFAIRS, ASSISTANCE TO TERRITORIES

101. Earmarking funds for various programs and for salaries and expenses for the Office of Insular Affairs and providing two year funding availability for the latter.

102. Requiring audits of the financial transactions of the Territorial governments by the GAO.

103. Providing grant funding under certain terms of the Agreement of the Special Representatives on Future United States Financial Assistance for the Northern Mariana Islands.

104. Allowing grants for the Pacific Basin Development Council.

105. Providing a grant to the Close Up foundation.

106. Providing for capital infrastructure in various Territories.

107. Allowing appropriations for disaster assistance to be used as non-Federal matching funds for hazard mitigation grants.

##### DEPARTMENTAL MANAGEMENT, SALARIES AND EXPENSES

108. Deriving funds for appraisal services and Take Pride in America activities from Land and Water Conservation Fund.

- 109. Permitting payments to former Bureau of Mines workers.
- 110. Limiting the establishment of additional reserves in the working capital fund.

PAYMENTS IN LIEU OF TAXES

- 111. Excluding any payment pursuant to the Payments in Lieu of Taxes that is less than \$100.

OFFICE OF SPECIAL TRUSTEE FOR AMERICAN INDIANS

FEDERAL TRUST PROGRAMS

- 112. Limiting the amount of funding available for the historical accounting of Indian trust fund accounts.
- 113. Allowing transfers to other Department of the Interior accounts.
- 114. Specifying that the statute of limitations shall not commence on any claim resulting from trust funds losses.
- 115. Exempting quarterly statements for Indian trust accounts \$15 or less.
- 116. Requiring annual statements and records maintenance for Indian trust accounts.
- 117. Limiting use of funds to correct administrative errors in Indian trust accounts.
- 118. Permitting the use of recoveries from erroneous payments pursuant to Indian trust accounts.

INDIAN LAND CONSOLIDATION

- 119. Permitting transfers of funds to the Bureau of Indian Affairs and Departmental Management accounts from Indian land consolidation for administrative expenses.

ADMINISTRATIVE PROVISIONS

- 120. Allowing the sale of existing aircraft with proceeds used to offset the purchase price of replacement aircraft.
- 121. Prohibiting the use of working capital or consolidated working funds to augment certain offices.
- 122. Requiring description of working capital fund charges in annual budget justifications.
- 123. Requiring Committee approval of departures from Working Capital Fund estimates.
- 124. Requiring reports on National Business Center activities.

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

- 125. Allowing transfer of funds in certain emergency situations and requiring replacement with a supplemental appropriation request.
- 126. Permitting the Department to use limited funding for certain services.
- 127. Restricting various oil preleasing, leasing, exploration and drilling activities within the Outer Continental Shelf in the Georges Bank North Atlantic planning area, Mid Atlantic and South Atlantic planning areas, Eastern Gulf of Mexico planning area, North Aleutian Basin planning area, Northern, Southern and

Central California planning areas, and Washington/Oregon planning area.

128. Permitting the transfer of funds between the Bureau of Indian Affairs and the Office of Special Trustee for American Indians.

129. Permitting the redistribution of certain Indian funds with limitations.

130. Permitting the conveyance of the Twin Cities Research Center.

131. Allowing the use of helicopters and motor vehicles on Sheldon and Hart National Wildlife Refuges.

132. Authorizing funding transfers for Shenandoah Valley Battlefield NHD and Ice Age NST.

133. Prohibiting the closure of the underground lunchroom at Carlsbad Caverns NP.

134. Prohibiting demolition of the bridge between New Jersey and Ellis Island.

135. Limiting compensation for the Special Master and Court Monitor for the Cobell v. Norton litigation.

136. Allowing payment of attorney fees for Federal employees related to the Cobell v. Norton litigation.

137. Requiring the Fish and Wildlife Service to mark hatchery salmon.

138. Addressing the use of certain Indian lands for gaming purposes.

139. Preventing funds to study or reduce the water level at Lake Powell.

140. Limiting the amount of fees that may be collected by the National Indian Gaming Commission.

141. Providing for a tribal trust demonstration program.

142. Providing for the renewal of certain grazing permits in the Jarbidge Field office of the Bureau of Land Management.

143. Authorizing the acquisition of lands and leases for Ellis Island.

144. Permitting the Secretary of the Interior to issue grazing permits within the Mojave National Preserve.

145. Implementing rules concerning winter snowmobile use at Yellowstone National Park.

146. Limiting the use of funds for Centers of Excellence and Partnership Skills Bank Training.

## *TITLE II—ENVIRONMENTAL PROTECTION AGENCY*

### SCIENCE AND TECHNOLOGY

147. Limiting certain per diem rates and certain other operating expenses.

### ENVIRONMENTAL PROGRAMS AND MANAGEMENT

148. Limiting certain per diem rates, other operating expenses, official representation and reception expenses and providing two year funding availability for administrative costs of Brownfields program.

### HAZARDOUS SUBSTANCE SUPERFUND

149. Limiting construction and repair expenses.

150. Providing for the allocation of funds to other Federal agencies under certain circumstances.

151. Providing for the transfer of funds within certain agency accounts.

OFFICE OF INSPECTOR GENERAL

152. Limiting construction and repair expenses.

153. Providing that, in fiscal year 2007 and thereafter, the Inspector General shall not serve as Inspector General for the Chemical Safety and Hazard Investigation Board.

LEAKING UNDERGROUND STORAGE TANK PROGRAM

154. Limiting construction and repair expenses.

STATE AND TRIBAL ASSISTANCE GRANTS

155. Permitting the use of limited State Revolving Funds for decentralized projects.

156. Earmarking funds for the Clean Water and Drinking Water State Revolving Funds for grants to United States-Mexico border programs, Alaska for water and wastewater infrastructure needs.

157. Earmarking funds for water and wastewater infrastructure improvements with a minimum of 45% cost-share per project.

158. Earmarking funds for Brownfields grants, diesel grants, and categorical grants to States.

159. Earmarking grants for water quality monitoring, leaking underground storage tanks and competitive targeted watershed grants.

160. Providing waivers for certain uses of State water pollution control State revolving funds for grants to Federally-recognized Indian Tribes, and for the cap on grants at the discretion of the Administrator.

161. Prohibiting the use of funds for jurisdictions that permit development or construction of additional colonial areas.

162. Making a technical correction to the 2005 appropriations for special project funding.

163. Providing for the transfer of special project funds, unawarded after 7 years, to the appropriate State Revolving Funds.

ADMINISTRATIVE PROVISIONS

164. Allowing awards of grants to federally-recognized Indian tribes.

165. Authorizing the collection of pesticide registration service fees.

166. Limiting the use of funds for consultants.

167. Requiring EPA to finalize a rule incorporating financial incentives for States that implement adequate National Pollutant Discharge Elimination System fee programs.

GENERAL PROVISION, ENVIRONMENTAL PROTECTION AGENCY

168. Prohibiting the use of funds in contravention of executive order 12898 and 15 U.S.C. 2862(c)(3).

*INDIAN HEALTH SERVICE*

## INDIAN HEALTH SERVICES

213. Providing that Tribal contract and grant funding is deemed obligated at the time of grant or contract award and remains available until expended.

214. Limiting funds for catastrophic care and loan repayment and providing no year availability for loan repayment funds.

215. Providing that certain contracts and grants may be performed in two fiscal years.

216. Permitting the use of Indian Health Care Improvement Fund monies for facilities improvement and providing no year funding availability.

217. Providing no year funding availability for scholarship funds.

218. Exempting certain Tribal funding from fiscal year constraints.

219. Limiting contract support cost spending.

220. Providing for use of collections and reporting of collections under Title IV of the Indian Health Care Improvement Act.

221. Providing for the collection of individually identifiable health information relating to the Americans with Disabilities Act by the Bureau of Indian Affairs.

## INDIAN HEALTH FACILITIES

222. Providing that facilities funds may be used to purchase land, modular buildings and trailers.

223. Providing for TRANSAM equipment to be purchased from the Department of Defense.

224. Prohibiting the use of funds for sanitation facilities for new homes funded by the Department of Housing and Urban Development.

225. Allowing for the purchase of ambulances.

226. Providing for a demolition fund.

## ADMINISTRATIVE PROVISIONS

227. Providing for payments for telephone service in private residences in the field, purchase of motor vehicles, aircraft and reprints.

228. Providing for purchase and erection of modular buildings.

229. Providing funds for uniforms.

230. Allowing funding for attendance at professional meetings.

231. Providing that health care may be extended to non-Indians at Indian Health Service facilities, subject to charges, and for the use of those funds.

232. Permitting the use of funds transferred from the Department of Health and Human Services.

233. Prohibiting limitations on certain federal travel and transportation.

234. Prohibiting personnel ceilings assessments by the Department of Health and Human Services.

235. Allowing deobligation and reobligation of funds applied to self-governance funding agreements.

236. Prohibiting the expenditure of funds to implement new eligibility regulations.

237. Permitting certain reimbursements and the use of those funds.

238. Providing that reimbursements for training provide total costs.

239. Prohibiting changing the appropriations structure without approval of the Appropriations Committees.

*NATIONAL INSTITUTES OF HEALTH*

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

240. Earmarking funds for individual project grants and providing two year funding availability.

*AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY*

TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC HEALTH

241. Earmarking funds for Individual Learning Accounts and providing no year funding availability.

242. Providing for the conduct of health studies, testing, and monitoring.

243. Providing deadlines for health assessments and studies.

244. Limiting administrative costs paid to the Centers for Disease Control and Prevention.

245. Limiting the number of toxicological profiles.

*EXECUTIVE OFFICE OF THE PRESIDENT*

COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF ENVIRONMENTAL QUALITY

246. Authorizing the appointment and duties of the chairman.

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

SALARIES AND EXPENSES

247. Limiting the use of funds for per diem expenses and the number of senior level positions.

248. Providing that in fiscal year 2007 and thereafter the EPA, Inspector General shall not serve as Inspector General for the Board.

*OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION*

SALARIES AND EXPENSES

249. Defining eligible relocatees.

250. Prohibiting movement of any single Navajo or Navajo family unless a new or replacement home is available.

251. Limiting relocatees to one new or replacement home.

252. Establishing a priority for relocation of Navajos to those certified eligible who have selected and received homesites on the Navajo reservation or selected a replacement residence off the Navajo reservation.

*NATIONAL ENDOWMENT FOR THE ARTS AND THE HUMANITIES*

## NATIONAL ENDOWMENT FOR THE ARTS, GRANTS AND ADMINISTRATION

273. Permitting transfer of funds within certain accounts and requiring funds to be expensed in accordance with Public Law 108–108.

## NATIONAL ENDOWMENT FOR THE HUMANITIES, MATCHING GRANTS

274. Allowing obligation of National Endowment for the Humanities current and prior year funds from gifts, bequests, and devises of money for which equal amounts have not previously been appropriated.

## ADMINISTRATIVE PROVISIONS

275. Prohibiting the use of funds for grants and contracts which do not include the text of 18 U.S.C. 1913.

276. Prohibiting the use of appropriated funds and permitting the use of nonappropriated funds for reception expenses.

277. Allowing the chairperson of the National Endowment for the Arts to approve small grants under certain circumstances.

278. Specifying that grants and contracts supported entirely with nonappropriated funds are not subject to matching requirements.

*COMMISSION OF FINE ARTS*

## SALARIES AND EXPENSES

279. Permitting the charging and use of fees for its publications.

*ADVISORY COUNCIL ON HISTORIC PRESERVATION*

## SALARIES AND EXPENSES

280. Restricting hiring at Executive Level V or higher.

*NATIONAL CAPITAL PLANNING COMMISSION*

## SALARIES AND EXPENSES

281. Permitting limited use of funds for official reception and representation expenses.

*UNITED STATES HOLOCAUST MEMORIAL MUSEUM*

282. Earmarking funds for equipment replacement and for repair, rehabilitation and for exhibition design and production and providing no year availability for these funds.

*TITLE IV—GENERAL PROVISIONS*

283. Providing for public availability of information on consulting services contracts.

284. Prohibiting the use of funds to distribute literature either to promote or oppose legislative proposals on which Congressional action is incomplete.

285. Specifying that funds are for one year unless provided otherwise.

286. Prohibiting the use of funds to provide personal cooks, chauffeurs or other personal servants to any office or employee.

287. Limiting assessments against programs funded in this bill.
288. Limiting transfer of funds.
289. Prohibiting the sale of giant sequoia trees in a manner different from 2005.
290. Continuing a limitation on accepting and processing applications for patents and on the patenting of Federal lands; permitting processing of grandfathered applications; and permitting third-party contractors to process grandfathered applications.
291. Limiting the use of funds for contract support costs on Indian contracts.
292. Making reforms in the National Endowment for the Arts, including funding distribution reforms.
293. Limiting funds for completing or issuing the five-year program under the Forest and Rangeland Renewable Resources Planning Act.
294. Limiting the use of telephone answering machines.
295. Clarifying the Forest Service land management planning revision requirements.
296. Limiting leasing and preleasing activities within National Monuments.
297. Providing the Secretary of the Interior and the Secretary of Agriculture the authority to enter into reciprocal agreements with foreign nations concerning the personal liability of firefighters.
298. Permitting consideration, when awarding contracts, to local contractors who provide employment and training for dislocated and displaced workers in economically disadvantaged rural communities.
299. Providing certain limitation of funds for Federal land takings excluding those under the Everglades National Park Protection and Expansion Act.
300. Limiting the use of funds for competitive sourcing studies.
301. Prohibiting use of funds for certain government-wide activities.
302. Enhancing forest service administration of rights-of-way and land uses (Public Law 106–113).
303. Providing for the exchange of lands in San Bernardino, California, to relocate the forest supervisor's office.
304. Limiting competitive sourcing studies related to wildfire management or wildfire suppression.
305. Limiting contracting for the fire programs analysis system unless the Secretaries of the Interior and Agriculture certify the program is on track.
306. Limiting the compensation of Smithsonian employees.
307. Expressing the sense of the Congress on greenhouse gas emissions control.

*TITLE V—SUSPENSION OF ROYALTY RELIEF*

308. Providing direction to the Secretary of the Interior on royalty relief suspension for oil and gas leases.

APPROPRIATIONS NOT AUTHORIZED BY LAW

Pursuant to clause 3(f)(1) of rule XIII of the Rules of the House of Representatives, the following table lists the appropriations in the accompanying bill which are not authorized by law:

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2006  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2007  
(Amounts in thousands)

	FY 2006 Enacted	FY 2007 Request	Bill	Bill vs. Enacted	Bill vs. Request
<b>Office of Surface Mining Reclamation and Enforcement</b>					
Regulation and technology.....	108,810	112,109	112,109	+3,299	---
Receipts from performance bond forfeitures (indefinite).....	99	100	100	+1	---
Subtotal.....	108,909	112,209	112,209	+3,300	---
Abandoned mine reclamation fund (definite, trust fund)	185,248	185,936	185,936	+688	---
Total, Office of Surface Mining Reclamation and Enforcement.....	294,157	298,145	298,145	+3,988	---
<b>Bureau of Indian Affairs</b>					
Operation of Indian programs.....	1,962,190	1,966,594	1,973,403	+11,213	+6,809
Construction.....	271,582	215,049	215,799	-55,783	+750
Indian land and water claim settlements and miscellaneous payments to Indians.....	34,243	33,946	39,213	+4,970	+5,267
Indian guaranteed loan program account.....	6,255	6,262	6,262	+7	---
Total, Bureau of Indian Affairs.....	2,274,270	2,221,851	2,234,677	-39,593	+12,826

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2006  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2007  
(Amounts in thousands)

	FY 2006 Enacted	FY 2007 Request	Bill	Bill vs. Enacted	Bill vs. Request
<b>Office of Special Trustee for American Indians</b>					
Federal trust programs.....	188,774	185,036	150,036	-38,738	-35,000
Indian land consolidation.....	34,006	59,449	34,006	---	-25,443
<b>Total, Office of Special Trustee for American Indians.....</b>	<b>222,780</b>	<b>244,485</b>	<b>184,042</b>	<b>-38,738</b>	<b>-60,443</b>
<b>Natural resource damage assessment fund.....</b>					
	6,016	6,109	6,109	+93	---
<b>Total, Departmental Offices.....</b>	<b>775,910</b>	<b>754,039</b>	<b>725,743</b>	<b>-50,167</b>	<b>-28,296</b>
<b>Total, title I, Department of the Interior.....</b>					
Appropriations.....	9,863,751	9,612,568	9,664,186	-199,565	+51,618
Emergency appropriations.....	(9,815,358)	(9,642,568)	(9,694,186)	(-121,172)	(+51,618)
Rescission.....	(81,893)	---	---	(-81,893)	---
	(-33,500)	(-30,000)	(-30,000)	(+3,500)	---
<b>TITLE II - ENVIRONMENTAL PROTECTION AGENCY</b>					
<b>Science and technology.....</b>					
(By transfer from Hazardous substance superfund).....	730,810	788,274	808,044	+77,234	+19,770
Environmental programs and management.....	(30,156)	(27,811)	(30,011)	(-145)	(+2,200)
Office of Inspector General.....	2,346,711	2,306,617	2,336,442	-10,269	+29,825
(By transfer from Hazardous substance superfund).....	36,904	35,100	35,100	-1,804	---
Buildings and facilities.....	(13,337)	(13,316)	(13,316)	(-21)	---
Hazardous substance superfund.....	39,626	39,816	39,816	+190	---
Transfer to Office of Inspector General.....	1,242,074	1,258,955	1,256,855	+14,781	-2,100
Transfer to Science and Technology.....	(-13,337)	(-13,316)	(-13,316)	(+21)	---
	(-30,156)	(-27,811)	(-30,011)	(+145)	(-2,200)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2006  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2007  
(Amounts in thousands)

	FY 2006 Enacted	FY 2007 Request	Bill Bill	Bill vs. Enacted	Bill vs. Request
Management of national forest lands for subsistence uses.....	4,975	5,311	5,311	+336	---
Total, Forest Service.....	4,257,762	4,096,728	4,194,266	-63,496	+97,538
DEPARTMENT OF HEALTH AND HUMAN SERVICES					
Indian Health Service					
Indian health services:					
Non-contract services.....	2,174,802	2,268,241	2,275,877	+101,075	+7,636
Contract care.....	499,562	536,259	536,259	+36,697	---
Catastrophic health emergency fund.....	17,735	18,000	18,000	+265	---
Total, Indian health services.....	2,692,099	2,822,500	2,830,136	+138,037	+7,636
Indian health facilities.....	353,211	347,287	363,573	+10,362	+16,286
Total, Indian Health Service.....	3,045,310	3,169,787	3,193,709	+148,399	+23,922
National Institute of Health					
National Institute of Environmental Health Sciences...	79,108	78,414	79,414	+306	+1,000
Agency for Toxic Substances and Disease Registry					
Toxic substances and environmental public health.....	74,905	75,004	76,754	+1,849	+1,750
Total, Department of Health and Human Services..	3,199,323	3,323,205	3,349,877	+150,554	+26,672